

REMARKS/ARGUMENTS

Claims 22-43 are pending in the application. Claims 22-25, 27, 28, 30-37 and 39-43 are rejected. Claims 26, 29 and 38 are objected to as being dependent on a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim.

Claim Rejection - 35 USC § 112

Claims 24 and 30 are rejected under 35 U.S.C. § 112, second paragraph, because the term “its” lacks proper antecedent basis. Applicants have amended claims 24 and 30 to delete the term objected to.

Claim Rejection - 35 USC § 103

Claims 22-25, 27-28, 30-37 and 39-43 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Mizumo, U.S. Publication No. US 2001/0021311 A1, (“Mizumo”).

Mizumo is directed to providing digital photo print services over a network, however, Mizumo does not teach the present invention’s feature of utilizing business relationship ranking to determine how purchase offers are presented to a user. In particular, Mizumo does not teach that the relationship between a business entity that is associated with a digital storage device and a service provider is used to determine how a purchase offer is presented to a user.

Applicants have amended the claims to more distinctly claim these inventive features of the present invention. In particular, claim 22 has been amended to recite that the digital storage device is inserted in an order terminal, that the digital storage device contains a code identifying an associated business entity, and that the code is used to access a database to determine a ranking of the business relationship so that the purchase offer can be appropriately modified. Applicants have canceled claims 23, 24, and 30 because their limitations have been included, in certain respects, in newly amended claim 22. Claims 25 and 26 have been amended to remove references to a second order screen and the term “primary,” respectively.


Another feature not mentioned in Mizumo is the presentation of a purchase offers containing two or more service providers listed according to a ranking of their relationship with the business entity associated with the digital storage device. Claims 35 and 43 have been amended to recite this distinction.

For all the foregoing reasons, the independent claims 22, 35, and 43 are allowable over the prior art of record, and the dependent claims are also allowable because they contain the limitations of the independent claims.

In view of the foregoing it is respectfully submitted that the claims in their present form are in condition for allowance and such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees in connection with this communication to Eastman Kodak Company, Deposit Account No. 05-0225.

Respectfully submitted,



Eugene I. Shkurko
Attorney for Applicant(s)
Registration No. 36,678

EIS:cvn
Rochester, NY 14650
Telephone: (585) 253-0123
Facsimile: (585) 477-4646

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.